

107TH CONGRESS
2D SESSION

H. R. 4550

To amend the trade adjustment assistance program under the Trade Act of 1974 to clarify the eligibility requirements with respect to adversely affected workers who are engaged in self-employment assistance activities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2002

Mr. BALDACCIO introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To amend the trade adjustment assistance program under the Trade Act of 1974 to clarify the eligibility requirements with respect to adversely affected workers who are engaged in self-employment assistance activities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Business and
5 Dislocated Worker Opportunity Act of 2002”.

1 **SEC. 2. AMENDMENTS TO TRADE ADJUSTMENT ASSIST-**
2 **ANCE PROGRAM UNDER THE TRADE ACT OF**
3 **1974.**

4 (a) **ELIGIBILITY FOR CERTAIN ADVERSELY AF-**
5 **FECTED WORKERS.**—Section 231 of the Trade Act of
6 1974 (19 U.S.C. 2291) is amended by adding at the end
7 the following:

8 “(d) Participation by an adversely affected worker
9 covered by a certification under subchapter A in self-em-
10 ployment assistance activities shall not affect the eligibility
11 of that worker to receive benefits under this subchapter.”.

12 (b) **LIMITATION ON TRADE READJUSTMENT ALLOW-**
13 **ANCES.**—Section 233 of the Trade Act of 1974 (19 U.S.C.
14 2293) is amended by adding at the end the following:

15 “(g)(1) In the case of an adversely affected worker
16 covered by a certification under subchapter A who engages
17 in self-employment assistance activities, or who has en-
18 gaged in such activities during any part of the certification
19 period, a trade readjustment allowance shall not be paid
20 for any week occurring after (A) the close of the 26-week
21 period that begins on the date of the establishment of the
22 small business or, (B) if on the date of such establishment
23 the worker has fewer than 26 weeks remaining of eligi-
24 bility for receipt of trade readjustment allowances, the
25 close of the remaining number of weeks.

1 “(2) The amount of a trade readjustment allowance
 2 payable with respect to a period described in paragraph
 3 (1) shall be calculated in accordance with the following:

4 “(A) The amount of the allowance payable for
 5 each week of the first 14 weeks of the period shall
 6 be equal to the amount calculated under section 232.

7 “(B) The amount of the allowance payable for
 8 each week of the next 6 weeks of the period shall be
 9 equal to 75 percent of the amount calculated under
 10 section 232.

11 “(C) The amount of the allowance payable for
 12 each week of the next 6 weeks of the period shall be
 13 equal to 50 percent of the amount calculated under
 14 section 232.”.

15 (c) DEFINITIONS.—Section 247 of the Trade Act of
 16 1974 (19 U.S.C. 2319) is amended by adding at the end
 17 the following:

18 “(18) The term ‘self-employment assistance ac-
 19 tivities’ means—

20 “(A) entrepreneurial training, business
 21 counseling, technical assistance, and related ac-
 22 tivities approved by the appropriate State agen-
 23 cy; and

24 “(B) activities (which may include train-
 25 ing), engaged in on a full-time basis, relating to

1 the establishment of a business and becoming
2 self-employed.”.

3 (d) GUIDELINES.—Not later than 180 days after the
4 date of the enactment of this Act, the Secretary of Labor
5 shall issue such guidelines as the Secretary determines to
6 be necessary to carry out the amendments made by this
7 section.

8 **SEC. 3. AMENDMENT TO THE FEDERAL UNEMPLOYMENT**
9 **TAX ACT.**

10 Section 3306(t) of the Internal Revenue Code of
11 1986 is amended by adding at the end the following:

12 “A program shall not be considered to be in nonconform-
13 ance with this subsection solely because the program ex-
14 pressly or in effect waives the requirement described in
15 paragraph (3)(B) in the case of any individual who is cov-
16 ered by a certification under subchapter A of chapter 2
17 of title II of the Trade Act of 1974.”.

○